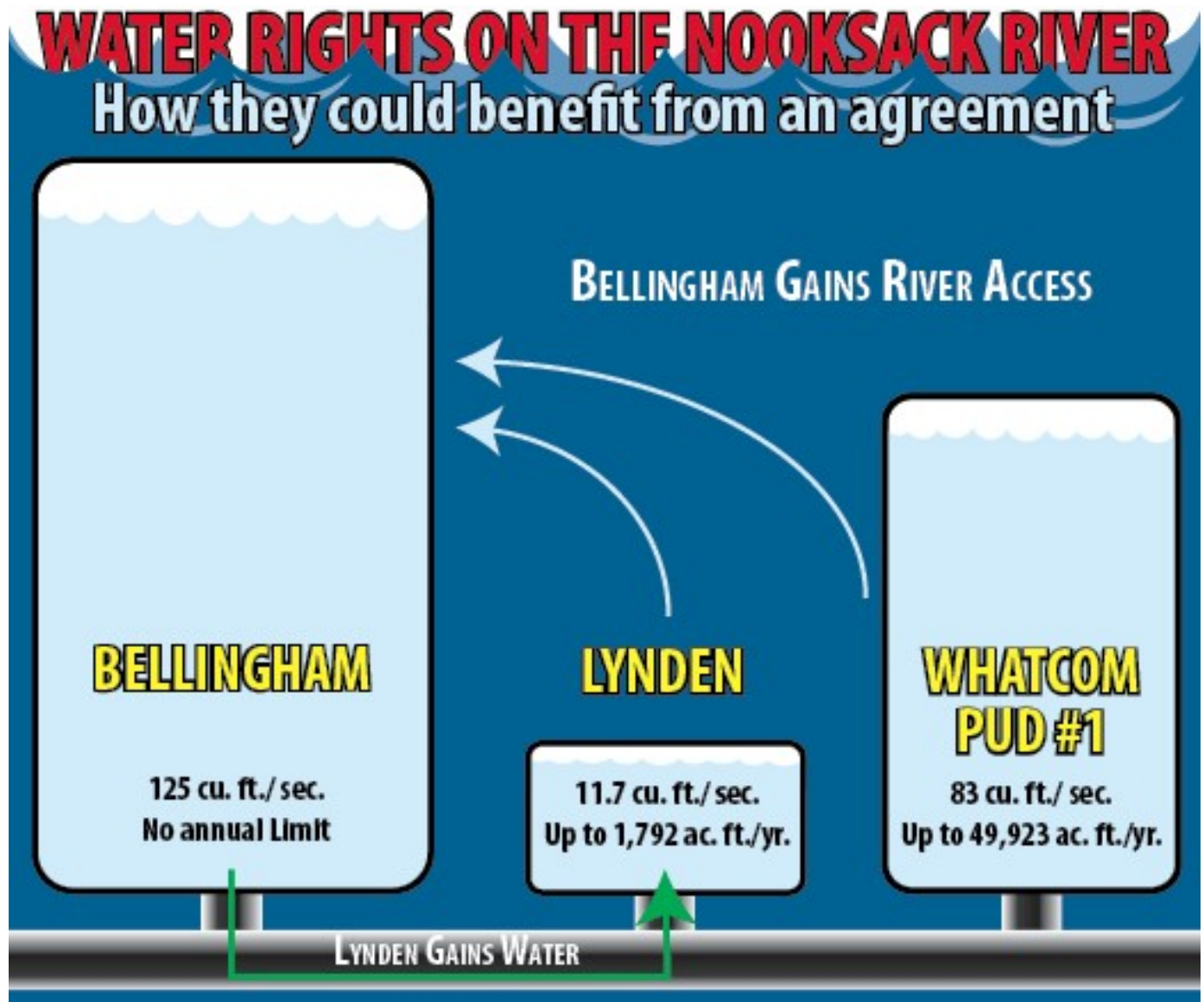


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## Bellingham, Lynden consider water deal

by Calvin Bratt  
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WHATCOM – Lynden and Bellingham are looking at a cooperative plan that could give Lynden more water from the Nooksack River while Bellingham would gain a backup water diversion point

at Lynden.

A similar plan for river access is sought with Whatcom County Public Utility District #1 at Ferndale.

The idea shows up in paperwork prepared for the Bellingham City Council meeting of Aug. 12.

Although a committee voted in favor during the day, the full council that evening decided to hold a work session on the matter on Sept. 16, said Clare Fogelson in Public Works.

Bellingham wants to apply to the state Department of Ecology to add the two new points of diversion to the city's present Nooksack River Middle Fork water right. A tunnel of about 10 miles carries the water into Lake Whatcom, Bellingham's water source.

Fogelson said memos of agreement with Lynden and the PUD would be "an easy first step" toward working together.

For Lynden, cooperating with Bellingham could mean progress on a nagging issue — for many years Lynden has taken more water from the river on an annual basis than the city's permit with the state Department of Ecology allows.

Interim agreements are in place, and Lynden has achieved significant water conservation.

Mayor Scott Korthuis said last week that a pact with Bellingham would be "a step in the process" of trying to assure enough water for Lynden and its surrounding area into the future.

In exchange for allowing Bellingham to use the water intake site at the Hannegan Road bridge, Lynden would be compensated with an "annual quantity of untreated water for a negotiated period of time," according to the proposed memorandum of agreement between the two cities.

Korthuis said Bellingham has "huge water rights" on the Middle Fork of the Nooksack River.

Specifically, that amount is 125 cubic feet per second, said Jacque Klug in Ecology's water resources division. By comparison, Lynden has rights to draw "instantaneously" only 11.7 cubic feet per second from the river, less than one-hundredth Bellingham's right. The PUD can draw 83 cubic feet per second, she said.

Lynden and the PUD also are limited on the volume of water they can take from the Nooksack in an

entire year: 1,792 acre feet for Lynden and 49,923 for the PUD, Klug said. Bellingham, with a very old water right, faces no such annual restriction, she said.

Ecology has been working for some time with Bellingham, Lynden and the PUD on possible solutions to Lynden's low annual draw level and also to the problem of elevated levels of nitrates in many of the water systems of the agricultural north county.

"Bellingham has some excess capacity and is willing to help," Klug said.

Nitrates in groundwater, often a result of heavy surface nitrogen application on crops, are a health concern for infants who consume the water. Federal law mandates nitrate levels be under 10 parts per million. Water from Lynden could be made available to rural water associations to dilute with their well sources.

A new Lynden Waterworks treatment plant, to be built by 2015, will be capable of producing 8 million gallons of drinkable water per day.

For Bellingham, it makes sense to add backup water diversion points — termed "redundancy" — beside the Middle Fork one, and Ecology sees quite a few requests for changes within a water right from throughout the state of Washington, Klug said.

"If you have a water right, you can change components within it, like well location and area of use," she said.

It would be good to have backup draw points, for instance, "in case a pump were to go down," Klug said.

In an emergency, water would presumably be trucked or transported via underground pipes to Bellingham.

The proposed agreement with the PUD at Ferndale calls for Bellingham to pay the full cost of system improvements that exclusively benefit Bellingham and for the entities to share other costs proportionately. There is no plan to provide water to the PUD.

The Whatcom PUD water intake/diversion facility is on the left bank of the Nooksack River adjacent to and downstream from the East Main Street bridge.

Klug said that if the Bellingham application to Ecology goes forward, there will be a process of review and public comment before any final decision is made, which could take up to a year.

Some folks in Bellingham voiced concerns as they learned of the proposed application. Wendy Harris said in an email that Bellingham has no need for the additional river access it is seeking, while Marian Beddill insists that this issue should be part of Nooksack River watershed-wide planning for water supply and use.

### **But getting under state permit limit has been elusive**

LYNDEN — In August 1999 the city was told it was taking too much water from the Nooksack River.

Lynden had pulled about 2,311 acre-feet (753 million gallons) of water from the river in 1998 when its permit with the Washington State Department of Ecology allowed only 1,792 acre-feet (584 million gallons) — a 29 percent excess.

The violation had been occurring for 10 years, until somebody noticed it.

The City Council quickly imposed a home-building and subdivision moratorium that stayed in place for over four years. The city also vigorously pursued water conservation measures, from limiting summer lawn sprinkling to fixing leaks in pipes.

It's all helped.

Each year now, Lynden takes less water from the Nooksack River than it did in 1998. But it can't quite get all the way under Ecology's limit to be in compliance.

In 2011 Lynden's water draw was about 1,799 acre-feet, very close to 1,792.

Last year, when the area received hardly any rain from July 4 to Oct. 12, the amount of water drawn from the river rose to 1,962 acre-feet, about 9.5 percent over the limit.

But, recognizing progress made, Ecology has allowed Lynden to grow, while continuing to monitor the situation.

This is Lynden's water draw from the Nooksack River over the last nine years (in acre-feet):

2004 – 2,104.45

2005 – 1,995.53

2006 – 2,018.24

2007 – 1,932.97

2008 – 1,880.74

2009 – 1,992.41

2010 – 1,885.37

2011 – 1,798.95

2012 – 1,962.00

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